

REMARKS

I. STATUS OF THE CLAIMS

Claims 1-7 and 9-20 are pending in the present application. Claims 1 and 10 are the independent claims.

Claim 8 has been cancelled without prejudice to or disclaimer of the subject matter recited therein.

Claim 1 has been amended to incorporate the allowable subject matter of objected claim 8. No new matter is believed to have been added.

Applicants acknowledge with appreciation the indication that claims 10-18 are allowed and that claim 8 recites patentable subject matter and would be allowable if rewritten in independent form to include all of the features of the base claim and any intervening claims.

II. THE REJECTION OF CLAIMS 1, 6, 7, 9, 19 AND 20 UNDER 35 U.S.C. §102(e) AS ANTICIPATED BY OR, IN THE ALTERNATIVE, UNDER 35 U.S.C. §103(a) AS OBVIOUS OVER US 2002/197441 TO HARIHARAN ET AL. (HEREINAFTER HARIHARAN)

Applicants respectfully traverse this rejection for at least the following reason.

Independent claim 1 has been amended to incorporate the allowable subject matter of dependent claim 8.

Accordingly, Applicants respectfully assert that the rejections of claim 1 under 35 U.S.C. § 102(e) and §103(a) should be withdrawn because Hariharan fails to teach or suggest each feature of independent claim 1, as amended.

Furthermore, Applicants respectfully assert that dependent claims 6, 7, 9, 19 and 20 are allowable at least because of their dependence from claim 1 and the reasons set forth above.

III. THE REJECTION OF CLAIMS 1-7, 9 AND 20 UNDER 35 U.S.C. §102(e) AS ANTICIPATED BY OR, IN THE ALTERNATIVE, UNDER 35 U.S.C. §103(a) AS OBVIOUS OVER US 2003/157292 TO MEDOWER ET AL. (HEREINAFTER MEDOWER)

Applicants respectfully traverse this rejection for at least the following reason.

Independent claim 1 has been amended to incorporate the allowable subject matter of dependent claim 8.

Accordingly, Applicants respectfully assert that the rejection of claim 1 under 35 U.S.C. § 102(e) and §103(a) should be withdrawn because Medower fails to teach or suggest each feature of independent claim1, as amended.

Furthermore, Applicants respectfully assert that dependent claims 1-7, 9 and 20 are allowable at least because of their dependence from claim 1 and the reasons set forth above.

#### IV. CONCLUSION

In accordance with the foregoing, it is respectfully submitted that all outstanding rejections have been overcome and/or rendered moot. And further, that all pending claims patentably distinguish over the prior art. Thus, there being no further outstanding rejections, the application is submitted as being in condition for allowance which action is earnestly solicited.

If the Examiner has any remaining issues to be addressed, it is believed that prosecution can be expedited and possibly concluded by the Examiner contacting the undersigned attorney for a telephone interview to discuss any such remaining issues.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 503333.

Respectfully submitted,

STEIN, MCEWEN & BUI, LLP

Date: 6/22/05

By: Douglas X. Rodriguez  
Douglas X. Rodriguez  
Registration No. 47,269

1400 Eye St., NW  
Suite 300  
Washington, D.C. 20005  
Telephone: (202) 216-9505  
Facsimile: (202) 216-9510